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With the Regards of

W. Griswold.

A D D R E S S

DELIVERED AT THE

OPENING OF COURT

IN THE

NEW COURT HOUSE

IN

GREENFIELD, MASS.

March 18, 1873,

BY HON. WHITING GRISWOLD.

II



GREENFIELD, MASS.:
E. D. MERRIAM.
1873.

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GREENFIELD, Mass., March 18, 1873.

HON. WHITING GRISWOLD,

DEAR SIR:

At a meeting of the Franklin Bar, the undersigned were appointed a Committee to request, for publication, a copy of your interesting Historical Address, this day delivered at the opening of Court in the New Court House.

Trusting that you will comply with this request at an early day,

We are respectfully yours,

SAMUEL O. LAMB,
CHESTER C. CONANT, }
GORHAM D. WILLIAMS, } Committee.

GREENFIELD, March 22, 1873.

GENTLEMEN:

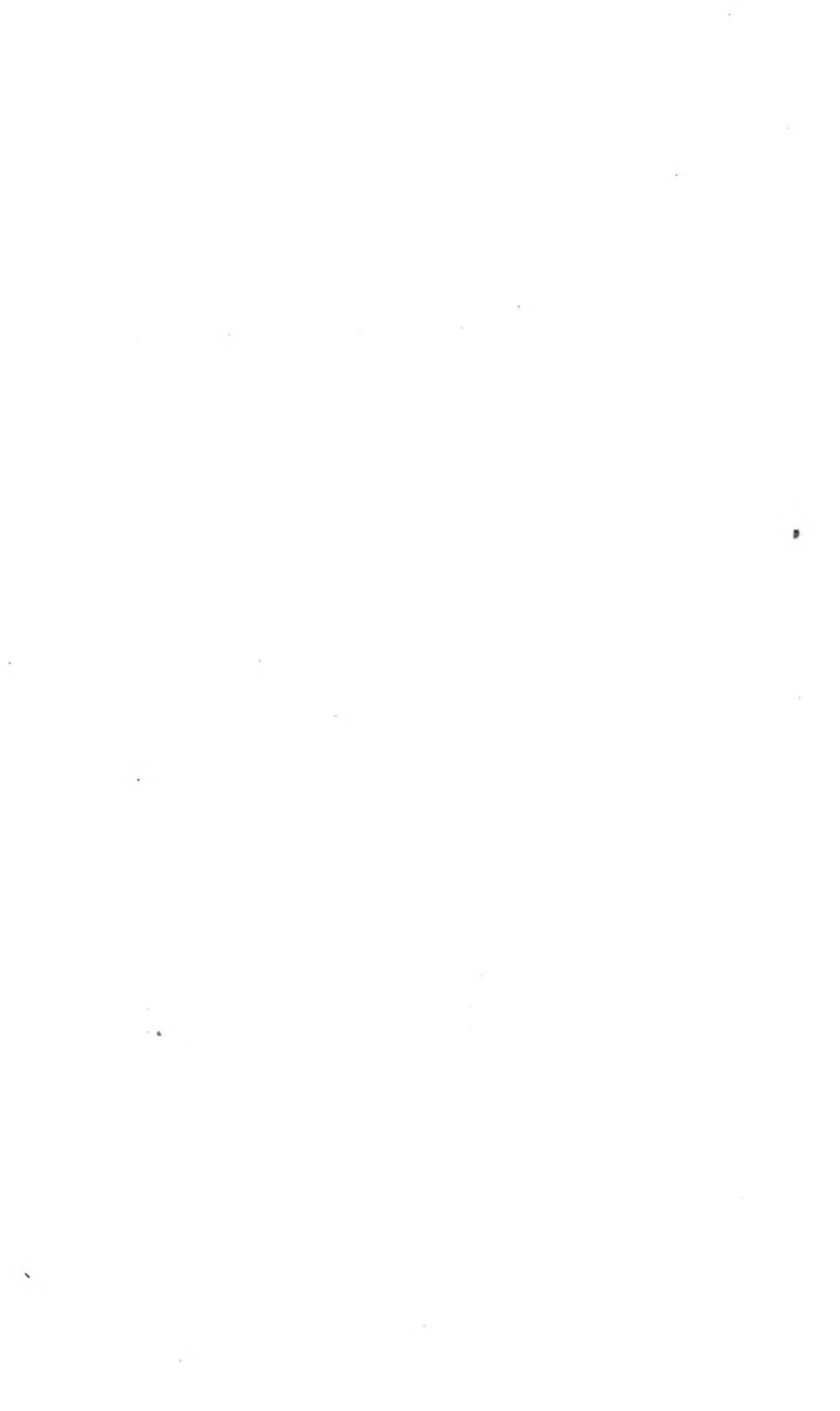
I herewith furnish a copy of my Address, agreeably to your very polite and complimentary request. Although it is necessarily imperfect, still I trust it may at least not only save others the labor of collecting many facts, which will thus be presented in a convenient and durable form, but also contribute something to increase the interest of the members of the Bar in each other, and strengthen the bonds of good fellowship in our profession.

Very truly yours,

WHITING GRISWOLD.

To Messrs.

SAMUEL O. LAMB,
CHESTER C. CONANT, } Committee.
GORHAM D. WILLIAMS,



A D D R E S S.

MAY IT PLEASE YOUR HONOR :

I am requested by the Committee of Arrangements to make some remarks appropriate to the dedication of this new Court House and public edifice. The few days allowed me for preparation is my only apology for any mistakes I may have made, and for the want of a better arrangement and more condensed statement of the thoughts which the time, the place, and the occasion suggest.

The old County of Hampshire constituted the present counties of Hampshire, Franklin, and Hampden. Franklin County was incorporated June 24, 1811.

The petitioners for the new county were : Joshua Green, Roger Leavitt, Willam Taylor, Jonathan McGee, Robert L. McClellen, William Bull, Hezekiah Newcomb, Stephen Webster, Gilbert Stacy, Solomon Smead, Elijah Alvord, 2d, Epaphras Hoyt, Medad Alexander, Justus Russell, Joseph Metcalf, Clark Stone, Asaph White, Somes Root, Samuel Bardwell, Samuel Rice, Varney Pearce, Isaac Taylor, who, according to the statement set forth in the petition, were inhabitants of Buckland, Charlemont, Heath, Rowe, Cole-raine, Shelburne, Leyden, Bernardston, Gill, Greenfield, Deerfield, Northfield, Warwick, Orange, Wendell, Montague, New Salem, and the Plantation of Erving's Grant.

The argument in favor of the division was, that the

county, being of great size, the expense of lawsuits, because of the distance of suitors and witnesses from the centre of the county,—more particularly from multiplicity of actions, and consequent delay of trials,—is oppressive. The petition was presented to the Legislature January 28, 1811.

Remonstrances against the division of Hampshire, and the incorporation of Franklin, were received from the towns of Northampton, Conway, Hawley, Whately, Leverett, Easthampton, Worthington, Chester, Southampton, Westhampton, Goshen, Williamsburg, Plainfield, Cummington, and Norwich. Also a communication from Westfield, which, however, favored a division of Hampshire into three counties. The remonstrances were adopted in town meetings.

The Report of the Committee of the Legislature, in favor of the division, was made June 18, 1811, and in the Senate further consideration of the subject was referred to the next session; but on the following day, the 19th, the order was reconsidered, and the report accepted, and concurred in by the House.

This was the entering wedge for a still further division; and the present County of Hampden was incorporated February 25, 1812. The same arguments which operated in favor of setting off Franklin, applied with still greater force to Hampden.

A remonstrance from the town of Amherst, presented to the Legislature January 16, 1812, is perhaps a fair, though somewhat colored, representation of the sentiments of all the towns which opposed this decimation and dividing up of the venerable and historic old County of Hampshire.

This remonstrance asserts that Hampshire County, which could send sixty representatives and four senators, was none

too large for convenience or respectability ; that the division which has already taken place will be detrimental to the interests of both counties—will heavily increase the expenses, which were large before—as the erection of public buildings, &c. ; that if another division be made, the middle county would be small, but the southern one contemptibly smaller, than any in the State—even than those on its Islands—yet would have to sustain all the burdens of a large one ; that no good purpose can possibly be answered by divisions ; that the difference in expenses between large and small counties is not so great as the difference of their territories ; and, in conclusion, asked that Franklin be again restored to Hampshire, before expenses are incurred.

But all opposition was fruitless ; and Hampden County, as I have said, was incorporated February 25, 1812. And this second recusant child of Old Hampshire, which was to be such a puny, contemptible thing, within sixty years of its birth had twice the population, and more than once and a half the valuation of all that was left of its most respectable and venerable parent. And Northampton, the old shire of the county, where the "river gods" have so long dwelt, which has furnished one—the sixth Governor under the constitution—and four of our most distinguished United States Senators, whose united terms of office covered a period of twenty years,—Northampton, so long the great centre of the culture, taste and social refinement, of the legal wealth and political power of Western Massachusetts, was, in one short year, shorn of much of her ancient prestige, power and glory.

By the act establishing our county, Greenfield was made the shire town. On this question of the shire town, Court

House, and other public buildings, there was a severe struggle between Greenfield and Cheapside, both before and after the passage of the act establishing the county. Nearly all the towns in the county took an active part in this contest; but Deerfield and Greenfield were the most prominent combatants. And Richard E. Newcomb, Elijah Alvord, and George Grennell of Greenfield; and Epaphras Hoyt, Rufus Saxton, and Pliny Arms of Deerfield, were the prime movers and master spirits of the two contending forces. A convention was held in Greenfield in November, 1811, with a view to change the Act, and remove the shire from Greenfield to Cheapside, before the Court House and jail should be built. A large crowd and great excitement attended its deliberations, every town in the county but two being represented.

No question of equal importance, taking such a deep hold of the public feeling, or where the animosity engendered rankled so long, ever agitated our people. Horse flesh was put in requisition, and the site of the proposed shire swarmed with excited delegates and interested outsiders, like a hive of bees in June, reminding one (if tradition has not overwrought this piece of local history) of the famous lines of Cowper, in the race of John Gilpin :

“ Smack went the whip, round went the wheels,
Were never folk so glad ;
The stones did rattle underneath,
As if Cheapside were mad.”

A petition to annex the Northern tier of towns in Hampshire to Franklin County was first adopted by the convention, and while lying on the table for signatures of the

delegates—three or four having signed it—it suddenly and mysteriously disappeared, and was never afterwards found. But the record of this alleged fraudulent abstraction, with all the reasons for removal to Cheapside, were presented to the Legislature. So earnest and important was this controversy relative to the location of the county seat and the first Court House, and so characteristic of the men of that day, at the risk of taking a few moments' space, I will state the substance of the most prominent considerations which entered into the discussion, and which were urged upon the attention of the Legislature, as I find them in documents prepared and used at that time for that purpose. But in thus sketching the early history of our first Court House, I use only such materials as are public property, to wit, the records and files of the legislature and our courts, corroborated by tradition—not for the purpose of reopening wounds long since healed, but to rescue from oblivion one of the most curious and interesting portions of our local history.

In behalf of Cheapside, it was claimed that it was the territorial and traveling centre of the county ; that the towns east of the Connecticut, and south of the Deerfield rivers, could save toll by leaving their horses and carriages, and paying only as foot passengers ; that the water at Cheapside was excellent, while that at Greenfield was very bad and unwholesome ; that its vicinity to the villages of Greenfield and Deerfield would ever prevent the exorbitant demands of taverns and boarding houses ; that all kinds of common labor and all kinds of materials were much cheaper ; that it was in the midst of excellent land for pasture, surrounded with an abundance of the best wood, and contiguous to the best hay in the county, from which Greenfield received large

quantities ; that it was the head of boat navigation for this part of the country, and even the lower part of Vermont ; that it was growing in commercial importance, and was the great outlet for the produce of the farmer and the deposit from which a great part of the importations of the country were received ; that it was pleasantly situated on the margin of the Deerfield river, and overlooked the adjoining meadows ; that the south and east portions of the county would have to pass through Cheapside to get to Greenfield ; that two responsible gentlemen stand ready to build two tavern houses the coming season, and that every desirable accommodation for courts will soon be furnished, and at much cheaper rate than in Greenfield, the price of land being only as ten to one hundred ; that Cheapside subscriptions in cash, land and materials, exceed those of Greenfield ; that a large majority of the towns, the people and the valuation of the county, favor the change ; that it is in the vicinity of a fine quarry of stone, a running brook, and excellent materials for making brick ; that it is nearer Erving's Gore, from which most of the lumber must come for the new buildings ; that wood was 67 cents per cord, and team-work 25 per cent. cheaper than in Greenfield, and the board of laborers 50 cents a week cheaper ; and, finally, that a gentleman of undoubted responsibility had offered, in writing, for \$1900 of the Cheapside subscription, to build a Court House as large as the one at Northampton, and a fire-proof clerk's office, and turn over the balance of the subscription to help build the jail.

On the part of Greenfield it was claimed : First, to be the territorial centre. Second, the traveling centre of the county. Third, that there were few inhabitants at Cheap-

side,—being only seven houses and five of these very small, and the other two unsuitable for boarders. Fourth, very desirable accommodations at Greenfield: twenty well-built, commodious dwelling-houses, and the most considerable place of trade in the county. Fifth, that Greenfield has spent large sums in the construction of roads, bridges and turnpikes, to accommodate the public; that she built most of the Deerfield river bridge at Cheapside, one-half of the Connecticut river bridge at Montague, and one-eighth of the great turnpike road to Leominster, which was projected in Greenfield, and cost \$60,000.

I will only add, as a specimen of the various certificates and affidavits sent to the Legislature to influence its decision, the following:

I hereby certify that I have heard, within four years from date, Col. Richard E. Newcomb once, and I believe several times, declare that there was more business done in Cheapside in one day, than there was in Greenfield in a week, or words to that effect.

SAMUEL E. FIELD.

Cheapside, Town of Deerfield, 10th January, 1812.

But the Legislature, and very wisely, as we must all now admit, refused to move the county seat and public buildings from Greenfield, and so the matter ended. But not so the rivalry, feuds and animosities of the chief parties to this bitter controversy. And Cheapside, for sixty years or more, has been the battle-ground of these contending factions; nor in this long struggle has victory always perched on the side of Greenfield.

To be sure the first battle—the most sanguine of all—was a "Bull Run" to Cheapside and Deerfield. But, "fore-

warned, forearmed"; and that was the last "Wooden Horse" of the cunning Greeks which ever successfully disengaged its armed legions upon this sacred and more than Trojan ground of old Deerfield.

Once, and again, and again, Greenfield having secured the county seat and public buildings, has tried to take Cheapside itself. But all these efforts have ended in ignominious defeat; and the subtle lawyers and sharp merchants of Greenfield, from 1811 to the present day, have been no match for the sturdy farmers of old Deerfield, led in these later conflicts by the Abercrombies, the Temples, and the Sheldons of Cheapside, all "to the manor born," who have stood up like giants against the frequent incursions of these Northern foes.

And there Cheapside remains, every rod of her territory signalized with memorials of victory or defeat, in conflicts which, if less bloody, have been quite as important in some of their results as the more sanguinary Indian wars, which fill so many of the early pages of Deerfield history.

Cheapside! The waters of the Connecticut and Deerfield still lave her feet, while thirty trains of railroad cars make daily music around her head. But no spacious hotels, no blocks of stores, no public edifices or county buildings, adorn the margin of those classic streams, or overlook the far-stretching panorama of meadow, and mountain, and river. No wide and shaded streets, lined with costly mansions, or beautiful homes of equal taste but less pretension,—the cheerful abodes of culture and refinement,—fulfill the dreams of the early agitators of making Cheapside what Greenfield is to-day. But such is fate, or, as Milton has it, "So God ordains."

“ Of all sad words of tongue or pen,
The saddest are these : it might have been.”

Cheapside and “ Montague City,” so called, are memorable local instances of disappointed ambition. But time, at last, makes one a part and parcel of a city—which she meant to be herself, and which, within the life of some who now hear me, may number a hundred thousand people, whilst Cheapside, in the future, as in the past, will draw its life and nourishment, its chief value and growth from the fact that the sagacity and enterprise of her thrifty, prosperous people, cannot be hemmed in by town lines, and the further fact of her proximity to one of the most thrifty, enterprising, beautiful and healthy towns in New England—the shire town of Franklin County.

After the incorporation of the county, in 1811, and before the Court House was completed, the courts were held in the hall of the old Willard tavern, situated on the corner of Main and Federal streets, on the ground now occupied by Hovey’s block and the Franklin County National Bank. This was built by Beriah Willard, father of David Willard, and was a rival of the old Munn tavern, which was on the opposite corner, where the Mansion house now stands. The first session of the court—the old Common Pleas—was held on the second Monday, the 9th day of March, 1812, Edward Bangs, Justice ; and Jonathan Leavitt of this town, Associate Justice, presided. Andrew Adams of Greenfield, father of our fellow-citizen, Peleg Adams, was foreman of the traverse jury, and Elisha Alexander of Northfield, was foreman of the grand jury. The first action entered in the court, and placed on the records, was that of Jerome Ripley of Greenfield, against Ransom Hinman of Lee: An

action on the case. Richard E. Newcomb, Esquire, appeared for the plaintiff. Defendant was defaulted, and judgment was rendered for \$29.11 damages and \$7.71 costs of suit,—perhaps a fair average of the amounts involved and the importance of the cases, from that day to this.

At the first term for this county, of the Old Court of Sessions, held on the first Tuesday of March, 1812,—Present: Job Goodale, Chief Justice; Medad Alexander, Ebenezer Arms, Joshua Green and Caleb Hubbard, Esquires, Associate Justices,—Eliel Gilbert of Greenfield, John Arms of Conway, Ezekiel Webster of Northfield, Charles E. Robertson of New Salem, John White of Whately, Hezekiah Newcomb of Leyden, and Roger Leavitt of Heath, were appointed a committee to exhibit a plan for a Court House, which was probably completed in 1813. Greenfield was authorized, by the court of sessions, to hold their town-meetings in it forever, by paying \$500 per year, and subsequently, in 1814, the Protestant Episcopal society in Greenfield were permitted, by the court of sessions, to meet in the court room while building their church, being responsible for any damages to the county.

This building, the first Court House, is still standing, and is now occupied, on the lower floor, by Lewis Merriam, Esquire, for the Post Office, and on the upper floor by S. S. Eastman & Co., for their printing establishment. It was a fine structure for its day, and served the purpose of court rooms and public offices very well. It was convenient in its arrangements, was pleasantly situated, and had an air of cheerfulness within and without.

Of course, my own impressions of this Court House were deepened by the fact that it was there I first heard those Nes-

tors of the bar of this valley, Bates, Dewey, Huntington, Billings, Ashmun, Newcomb, Wells, Alvord and Brooks, among the dead, and Forbes, Grennell, Aiken, Davis and Wm. G. Bates, among the living, contend for the mastery, and measure weapons in many a hard fought contest, involving the life, liberty, reputation, or property of a fellow-citizen,—many of them men not inferior in ability to the Stoddards, the Strongs, the Mills, the Ashmuns, the Blisses, the Dwights and Dickinsons of a still earlier day.

It was there, too, that I first learned to respect the high character of the Massachusetts Judiciary, by attending courts presided over by such learned and upright judges as Putnam, Wilde, Shaw, Metcalf, Dewey and Hubbard, of the Supreme Bench, and Williams, Cummins, Mellen, Ward, Allen, Washburn, and their colleagues, on the old Common Pleas bench.

I can only speak of a few of the more prominent lawyers, who belong wholly or in part to this first period of our judicial history, who were members of this bar, and practiced in our first Court House.

WILLIAM COLEMAN was the first—a native of Boston; studied law with Judge Paine of Worcester—a man of rare genius; went to New York, was the law partner of Aaron Burr and the intimate friend of Alexander Hamilton. He was also for a time clerk of the city court and reporter of its decisions.

JONATHAN LEAVITT, son of Rev. Jonathan Leavitt, of Heath, Mass., graduated at Yale College in 1786, studied law at New Haven and settled here about 1790. He was Senator, Judge of Probate from 1814 to 1821, and also Judge of the Court of Common Pleas. He married the

daughter of President Stiles, of Yale College. He built the elegant mansion still standing on Main street, just east of the Mansion house, now owned and occupied by his only surviving child, Miss Mary Leavitt, and the family of Geo. H. Hovey. In this mansion Judge Leavitt lived until his death, in 1830, at the age of sixty-six. He was a close student, a good lawyer, and before his appointment to the bench, had a very large and lucrative practice. His home was long the centre of the culture, taste, and social refinement of the place, where judges, lawyers, and the elite of the town were often and most sumptuously entertained.

RICHARD E. NEWCOMB graduated at Dartmouth in 1793 ; studied law with Wm. Coleman ; was admitted to the bar in 1796. He was Representative to the General Court, County Attorney, and Judge of Probate. He was an able lawyer, when in his prime, and a powerful advocate, and had an extensive practice. He was a gentleman of the old school, of vigorous constitution and strong will, courageous and firm, but gentlemanly and courteous in all his intercourse with society. His office was the resort of most of the law students of that early day in fitting for the profession. He was present at the informal dedication of our last Court House, in 1849, and although in feeble health, spoke at some length with much feeling and power. His erect and dignified form and stately walk was a familiar and welcome sight in our streets, until near the close of his long and active life. He died in 1849, at the age of seventy-eight.

HORATIO G. NEWCOMB studied law with John Barrett of Northfield, and his brother, Judge Newcomb of this town. He was admitted to the bar in 1813. He practiced law at Winchendon and Northfield, before he settled in Greenfield.

He received the honorary degree of A. M. from Williams College. He was a member of the Legislature, and master in chancery under the insolvent law of 1838. He was employed much in the settlement of estates, and in probate business; was a good office lawyer and counsellor, and always advised to that course which was for the interest of his client, not for his own. He took a deep interest in all local and public questions. He was kind and sympathizing; and if he was not one of the greatest, he was what is of much more value, one of the best of men. He died in 1857, at the age of seventy-one.

SAMUEL C. ALLEN graduated at Dartmouth in 1794; settled in the ministry at Northfield in 1795. He soon after relinquished that profession, and studied law with John Barrett of Northfield; was admitted to the bar about 1800, and settled in New Salem. He came to Greenfield about 1822, but finally returned to Northfield, where he established himself in a retired, beautiful spot on the banks of the Connecticut river. Here he pursued agriculture, practiced law, prosecuted his political and literary studies, and reared a family of children. Three of his sons were eminent lawyers; two of them members of Congress from Maine, and one of these, Elisha H. Allen, is the present chancellor and chief justice of the Sandwich Islands; and another son, the late Samuel C. Allen, so long the Representative from Northfield to the Legislature, the farmer statesman, the great advocate of temperance, and the Postmaster of East Boston. Mr. Allen, the father, was State Senator, County Attorney, and member of Congress from this district from 1816 to 1828. He was an accomplished scholar, and a statesman of high national reputation.

ELIJAH ALVORD studied law with Judge Newcomb; was admitted to the bar in 1802. He received the honorary degree of A. M. from Dartmouth and Williams Colleges. He was Representative to the General Court, a member of the Constitutional Convention of 1820, Register of Probate, and clerk of the courts,—a most capable, courteous and faithful public officer. Mr. Alvord, Judges Leavitt and Newcomb, and George Grennell, exercised a wide influence on all the questions connected with the establishment of our county, and the location of the county seat and public buildings.

RODOLPHUS DICKINSON was the son of Col. T. W. Dickinson of Deerfield; graduated at Yale College in 1805; studied law at Northampton with John Taylor, and was admitted to the bar in 1808; practiced at Springfield till 1811; was clerk of our courts from 1811 to 1819, when he took orders in the Episcopal church, settled in South Carolina, and many of the most distinguished men of that State were, in different places where he preached, among his parishioners—John C. Calhoun being one of the number. He was a great student, and published several important works: among them a translation of the New Testament. Early in life he was deistical in his views; but, by long and close study of the Scriptures, became a deep and thorough religionist of the evangelical school. In politics, he was a democrat of the Jeffersonian school, and, after his return to Deerfield from the South, took a leading part in the politics of Western Massachusetts, and at one time came near an election to Congress from this district. The closing years of his life were at times clouded with mental aberration. His

memory will ever be cherished as that of a scholar, statesman, and christian.

EPHRAIM WILLIAMS, of Deerfield, was one of the most remarkable men of that day. He was usually called *Bob* Williams ; but why, I am unable to say, except that this was an ancient name or title among his ancestors. He was born in Deerfield, in 1760 ; studied law with his uncle, that eminent lawyer, Judge Sedgwick of Stockbridge, and practiced law there, as his partner, about twenty years ; and, by an extensive and lucrative practice, acquired an independence as to property. He returned to Deerfield in 1803, where he lived until his death, in 1835. He was the nephew of, and was named for, Col. Ephraim Williams, the founder of Williams College, and was the father of the present Bishop Williams of Connecticut, and the uncle of the late Charles, Ralph, Horace, and Ephraim Williams,—men prominent in public affairs in Deerfield during the last fifty years.

While in practice in Berkshire County, he had a misunderstanding on one occasion with the presiding judge, who charged him with stating what was incorrect, and ordered him to sit down. But Mr. Williams, indignant at having his veracity called in question, replied that he *would not sit down*, but would leave the bar, and never enter it again ; which he did, and ever after faithfully kept his promise. He was the reporter of the first volume of the Massachusetts Reports. He was frequently elected to both branches of the Legislature, and was also member of the Governor's Council. He was often consulted by the judges and others on important legal questions ; and Chief Justice Parsons used all his influence, but without success, to persuade him to

return to the practice of his profession, and to the bar; but he was inflexible.

JUSTIN W. CLARK was a member of this bar, and settled in Whately, where he practiced from 1825 to 1827 inclusive. He then went to Hatfield, and was for many years the law partner of Israel Billings. He was an eminent lawyer, and the early pages of our Reports are often enriched with his clear, close and elaborate law briefs and arguments. The firm of Billings & Clark had great strength, and an extensive law practice.

GEORGE GRENNELL, now in his eighty-seventh year, whose presence to-day adds so much to the interest and character of this occasion, graduated at Dartmouth in 1808, with distinguished honor; studied law with Judge Newcomb; was admitted to the bar in 1811; was the law partner at different times of Judge Newcomb, Almon Brainard, David Aiken, and his son James S. Grennell. He was eight years, from 1820, county attorney; was elected to Congress in 1828—was a member ten years; was afterwards clerk of the courts, and judge of probate; was Presidential elector in 1840. Add to this an extensive law practice during a large portion of this period, together with extensive literary research and acquisitions, and we have before us a rare life, filled with duty and crowned with honor. May the same kind Providence which has watched over and prospered our brother so many years, long spare him to the family, the church, to society, and to the State.

FRANKLIN RIPLEY was the son of Jerome Ripley of Greenfield. He graduated at Dartmouth in 1809; studied law at Cooperstown, N. Y., and at Northfield with John Barrett; was admitted to the bar in 1812. He practiced

law at Northfield ; was Judge of Probate, and cashier and principal manager of the old Greenfield, now First National Bank of Greenfield till his death, in 1860, at the age of seventy-one years. He was a man of the strictest integrity, of great industry, and exerted a wide and salutary influence in business, in polities, and in the church.

DANIEL WELLS, son of Col. Daniel Wells of Greenfield, graduated at Dartmouth in 1810 ; studied law with Elijah Alvord ; was admitted to the bar in 1813. He was State senator, district attorney for the four western counties, and Chief Justice of the Court of Common Pleas from 1844 to the time of his death, in 1854. He was a most conscientious and pure-minded man ; the kindest of husbands and fathers ; of deep moral convictions and enlarged public spirit ; progressive in all his ideas ; an indefatigable student, and able lawyer and advocate ; and for thirty years held the leading sway at the Franklin bar. The most important trial, probably, in which he was ever engaged, was that of the Commonwealth vs. William Wyman, President of the Phoenix Bank of Charlestown, indicted for embezzlement. Mr. Wells was associated with Mr. Huntington, District Attorney for Middlesex County, for the Government. This was in 1843, shortly before his appointment to the bench, when he was in the full maturity of his powers and fame as a lawyer ; and both in the trial and argument Mr. Wells proved himself equal, if not an overmatch, for those great lawyers, Webster and Dexter, who conducted the defence.

JAMES C. ALVORD, son of Elijah Alvord, graduated at Dartmouth in 1827 ; studied law with his uncle, Daniel Wells, and at the Law School at New Haven ; was admitted to the bar in 1830 ; was Representative to the Legis-

lature; Senator; one of the commissioners to codify the criminal law of Massachusetts; and was the author of the article on homicide and assault, one of the ablest in the report of the commission. He was elected to Congress in 1838, but never took his seat, in consequence of his death in 1839. He gave early promise of great eminence in his profession, and in public life. What others worked long to achieve, he seemed to grasp by intuition. Law was the idol of his love—the field of his greatest ambition. It was the shrine at which he worshiped. He loved it as a science; he loved its practice; and to it he devoted his days and nights without cessation. As a lawyer and advocate, at the time of his death, though but thirty-one years old, he had few equals, and no superior at this or any other bar. Yet he was as simple, playful and trustful as a child; fond of every honorable and manly sport and social companionship, and the centre of a large circle of the most refined and cultivated society.

In politics, while nominally a whig, he was at heart, and throughout, an abolitionist. Early in life he threw the weight of his gifted intellect and manly soul into the scale of freedom, and, had his life been spared, who can doubt that long ago he would have occupied a seat in the United States Senate—if not the equal, certainly the co-laborer, and scarcely the inferior of our great and incorruptible Senator, Charles Sumner, in the God-appointed work of the emancipation of a long abused and down trodden race.

BENJAMIN R. CURTIS, of Boston, studied law one year at the Law School in Cambridge; then eighteen months in the office of Wells & Alvord at Greenfield; then six months at Cambridge Law School. He was one year a

member of this bar, and practiced law in Northfield. He gave promise, I am told, even then, in the conduct of justice trials, of that great eminence which he has since achieved at the Suffolk bar, and on the Supreme Bench of the United States, as one of the best judicial minds of the country.

I take the liberty of incorporating into this address the following extract from a letter of Mr. Curtis, in reply to a note from me, making inquiries as to his recollections of the few years spent in this county in the study and practice of the law, as it will be of general interest to our people. Speaking of Wells & Alvord, with whom he studied law, he says :

“ I then, and ever since, have considered Mr. Wells to have been a sound and learned lawyer, and a pure and excellent man. His associate, Mr. Alvord, was a man of genius and of great strength of character, and to his companionship in my studies I owed a great deal. We were friends and intimate companions, and our common interest in our studies was very helpful to me. When I lived in your county, there was in nearly every town at least, one lawyer, who, in point of education and influence, ranked with the best in the town, and their influence was generally good. They did not stir up strife, and they did their duty as administrators of the law with general fidelity. The towns were better for their presence. Of course, there were exceptions. But those were the general rules as I knew them forty years ago. I suppose the village lawyer has now disappeared. Not a little that was useful has gone with them.”

JOHN BARRETT, JOHN NEVERS, and WILLIAM G. WOODARD were also long, able, and successful practitioners in Northfield. Before the establishment of the new county, Northfield seems to have been quite as much or more than Greenfield the center of the legal talent of our present county, and most of the young men preparing for the pro-

fession resorted to Northfield, and the office of John Barrett, to prosecute their studies. John Nevers left the practice in 1831, to take the office of sheriff. William G. Woodard subsequently moved to Iowa, and became one of the Supreme Judges of that State.

Ex-Gov. EMORY WASHBURN studied law eighteen months with Bradford Sumner, then of Leicester, afterwards of Boston; one year at the Harvard Law School, and six months with Charles A. Dewey, then of Williamstown, afterwards Judge of the Supreme Judicial Court. He was admitted to the bar in Berkshire, March 1, 1821, and March 3, 1821, opened a law office in Charlemont, in this county, where he remained till September 18, 1821, when he removed to Leicester, his native place, to administer to the necessities of an aged and infirm mother, then left alone. He subsequently removed to Worcester, where he long constituted one of the ablest leaders of that very able bar. He was Judge of the Court of Common Pleas from 1844 to 1847; was Governor one year, 1854, and is now the learned writer and author of works upon the most abstruse branch of law, real property, and Law Lecturer and Professor in the Law Department of Harvard University. His life has been one of unceasing labor and great usefulness. Few men have done as much as he to give dignity, character and importance to the legal profession; none more to prove how much superior is principle to policy, not only in the legal profession but in politics and all the relations of business. When, in after years, the roll of Massachusetts' most illustrious names shall be called, few will show a purer, higher, and more useful record than that of Emory Washburn.

ELIJAH PAINE, of Ashfield; SYLVESTER MAXWELL and

JOSEPH P. ALLEN, of Charlemont; PLINY ARMS, JONATHAN A. SAXTON, AARON ARMS, and ELIJAH WILLIAMS, of Deerfield; JONATHAN HARTWELL, of Montague; JOHN DRURY and ISAAC B. BARBER, of Coleraine; HORACE W. TAFT and HENRY BARNARD, of Sunderland; WILLIAM BILLINGS, of Conway; BENJAMIN BRAINARD, of Gill; and STEPHEN EMERY, of Orange,—prudent and useful counsellors in their several localities, and most of them at different periods of life elected to important public offices, were long welcome and familiar faces in the old Court House.

It was in this old Court House that EPAPHRAS HOYT and JOHN NEVERS, the sheriffs of the county from 1814 to 1847, men of iron will and Roman courage, so long presided over the courts with all the courtesy, ease and dignity of the olden school.

It was there, too, that THOMAS ROCKWOOD, the polite attendant upon Providence, the court, and the lawyers, so long won the approval of the bench and the bar, by uniting the gentleman with the subordinate but very useful office of messenger.

Nor must I pass unnoticed Col. DAVID WRIGHT, of Deerfield, the old crier of the old Court House, of the old school. It is no disparagement to the present temporary, shifting occupants of this office, to say that Col. Wright, awake or asleep, was the equal, if not superior, of them all. Although there is the highest *profane* authority for saying that on one occasion, when suddenly roused from a profound sleep, which he was enjoying in the crier's desk, to adjourn the court, he shocked the judge, the jurors, the witnesses, spectators, and even the lawyers, so far as such language can shock their sensibilities, by adding, either by mistake or

intentionally, to the words, "God save the Commonwealth," an oath which it would be improper for me to repeat in this presence. But the Legislature which, like the British Parliament, is omnipotent, in one of its spasms of reform, arose in its might and majesty and swept this little office of crier of the courts from the face of the earth, so far as Massachusetts was concerned, and with it went Col. David Wright, the crier of this court. But all the members of this bar felt the keenest regret to part company with one who so long contributed so much pleasantry and cheer to the sessions of our courts, and had so often and so devoutly called upon God to "save the Commonwealth of Massachusetts."

And there, too, was Gen. THOMAS GILBERT, the predecessor of David Wright, in the office of crier, and subsequently an assistant in the clerk's office. And also, conspicuous among a long list of deputy sheriffs, of the old regime, were CALVIN L. MUNN of Greenfield, HATSEL PURPLE of Bernardston, ISAAC ABERCROMBIE of Deerfield, Col. NOAH WELLS of Rowe, DANIEL DONILSON of Coleraine, ANSON BEMENT of Ashfield, DAVID N. CARPENTER of Greenfield, SAMUEL POTTER of Charlemont, and last, but by no means the *least*, BENJAMIN *Stout* WELLS of Montague, father of the present efficient and popular sheriff of the county, all inseparable concomitants and attaches of the old Court House.

Nor can we ever forget HOOKER LEAVITT, so long the faithful register of deeds and county treasurer, almost a fixture in that old building, whose familiar face, in his place of business and his daily walks, always greeted us with a smile. I can see him now, in his office, on the street, in his house, and garden on Federal street, in his pew at church,

attentive and reverent; in the prayer-meeting, devout and humble; in the social circle, cheerful and happy, and at last mourning and weeping himself into the grave over severe, painful, domestic afflictions.

And there, too, as a matter of course, was the old Court House clique, for some mysterious reason, the almost invariable concomitant of all court houses, where political slates are made, often, perhaps not often enough, to be smashed by the sovereign people.

But while many of the older members of the bar and officers of the court, and much that was peculiar to the olden times had passed away, the Court House itself was deemed insufficient for the public wants. Progress, growth, and time's changes demanded a larger and more commodious building and public rooms. And our second Court House was erected in 1848, by Thomas Nims, Joseph Stevens, and Ebenezer Maynard, then county commissioners. These men were among the ablest and most conscientious of all the boards who have held that important office, and they unquestionably did all which they thought the finances of the county and judgment of the people would sanction. And for twenty-five years that structure served the county and the courts passably well. But after all, in the light of facts as they now appear, it was poor economy. A larger, more safe and convenient edifice, with all the modern appliances and improvements, like the one we are met to dedicate, would have been a wiser investment in the end.

But our county was after the division, and is still, the smallest in the State in population and valuation, except Dukes and Nantucket—those little islands out in the sea. And "slow, but sure," has ever been the motto of Franklin

County. Decimated in our representation, cut off from railroad communication, far removed from the great centres of influence, power, and trade, for half a century we struggled against heavy odds, scarcely holding our own. We lived on the eleventh chapter of Hebrews, and in our humility rejoiced in the sobriquet of "Little Franklin." But during all this time we held in our hand the sling of David, for our faith was like a grain of mustard-seed, which, if it could not remove, would tunnel mountains.

But our day at last has come. The "river gods" are moving North, and now we are masters of the situation, holding, as we do, the great strategic point—the key not merely to the great channel of commerce, business and trade, but to the political arch of the State. We make and unmake governors, senators, judges, and members of congress, and cause all who desire public favor to fall down and worship our Dagon, the "*Great Bore*"; and if they would feed at the public crib, to pass through the Hoosac Tunnel, as the shortest, safest, and only road to the object of their ambition.

As the first Court House represented for the most part a generation of the olden school, the second, to a great extent, represented a new generation of men.

I know I shall be pardoned if I make a brief reference to some of the more prominent characters of our bar, who best illustrate this second period of our judicial history, even at the risk of shocking the modesty of a few who constitute a portion of my audience.

DAVID AIKEN graduated at Dartmouth in 1830; studied law with Wells & Alvord; was admitted to the bar in 1833; was Judge of the Court of Common Pleas bench from 1856 to 1859. After the promotion of Judge Wells in 1844, to

the present day, with the exception of the period he was on the bench, he has been the acknowledged leader of our bar. He practices law, as he says, more from necessity than the love of it; goes at once to the nub of his case; wastes no strength on immaterial issues; prefers a good horse to a law library; sifts witnesses, and sways judges and jurors without remorse, or any mercy for his timid and prostrate brothers of the profession. He has been the law partner of Henry Chapman, George Grennell, Davis & Allen, Chester C. Conant, and W. S. B. Hopkins; also with Chas. E. Forbes of Northampton. And what little law your speaker ever knew, he acquired of Judge Aiken while a student in the office of Grennell & Aiken.

ALMON BRAINARD graduated at Hamilton College, N. Y., in 1826, and was afterwards one year in Capt. Partridge's military school at Middletown, Conn. He studied law with George Grennell; was admitted to the bar in 1829; was for fourteen years register of deeds and county treasurer, and for a long period secretary of the Franklin County Mutual Fire Insurance Company. He was senator in 1856, and is now one of the trial justices of the county. After his admission to the bar, by industry, frugality and integrity, he soon won his way not only to the confidence of the people of the county but to a very extensive and lucrative practice; and at one time, to what few lawyers achieve, an ample fortune.

The amount of labor he has performed during the forty-four years of his practice, clerical and otherwise, in his office, and in court, as register of deeds, county treasurer, and secretary of the Franklin County Mutual Fire Insurance Company, would appal any lawyer of only average industry.

And though past the meridian of life, he still works in his profession, by day and by night, as constant as ever. And when at last he goes, as go we all must, I feel sure it will be, like Moses on Mount Nebo, with his armor on, his eye not dim, nor his natural force abated.

GEORGE T. DAVIS graduated at Harvard College in 1829; studied law with Wells & Alvord, and at Cambridge; was admitted to the bar in 1832. He was twice senator from this county, once a member of our House of Representatives, and also a member of Congress from the old Connecticut River District. In many respects, he is the most striking figure in this second period. He was a keen, discriminating, able lawyer; a most charming conversationalist and speaker; the brightest of men, bristling with wit, fun and raillery; most skillful in the examination of witnesses, and extracting amusement from the dryest case. He did more than all others at law and *nisi prius* terms to incorporate into the cold and rigid logic and routine of courts and trials something of the cheerful, jolly, softer, better side of human nature; and if he did not win verdicts from the hands, he drove dyspepsia from the bodies of the judges, jurors and lawyers, by the frequent convulsions of laughter which followed his inimitable wit and repartee. He is now living in elegant ease in Portland, Maine. No one ever left us who is so much missed by the bench, the bar, in places of business, in literary clubs, and the social circle.

D. W. ALVORD graduated at Union College in 1838; studied law with Wells, Alvord & Davis; was admitted to the bar in 1841; was senator, member of the constitutional convention of 1853, district attorney, and collector of internal revenue for this district. He was brought up under

the teachings of his father, Elijah Alvord ; his uncle, Daniel Wells ; his brother, James C. Alvord ; and George T. Davis—all able lawyers, and of wide general culture. He had a fine legal mind, and had he devoted himself exclusively to his profession, he would have made one of the ablest lawyers in the State. He died in Virginia, in 1871, at the age of fifty-four.

CHARLES ALLEN graduated at Cambridge in 1847 ; studied law with Davis & Devens, and at Cambridge Law School ; was admitted to the bar in 1850 ; became the law partner of Aiken & Davis. By good natural abilities, untiring industry, and exclusive attention to the study and practice of the law, at an early age he placed himself in the front ranks of the bar of the State. He is systematic and thorough in preparation ; eloquent and convincing with the jury ; clear, logical and winning with the court. As attorney general of the Commonwealth, he will not suffer in comparison with his distinguished predecessors. He proved fully equal to the delicate and responsible duties of an office which had been filled by an Otis, a Sullivan, an Austin, a Clifford, and a Choate.*

HENRY L. DAWES was born in Cummington, in the old County of Hampshire ; graduated at Yale College in 1839 ; studied law in this town with Wells, Davis & Alvord ; was admitted to the bar in 1842 ; married in Ashfield, and set-

* I take not so much credit, as pride, in the fact that Mr. Allen was a pupil of mine one term, the summer of 1838, in the Fellenberg Academy. And I will add, that I have often thought that Mr. Allen's father, Sylvester Allen ; his uncle, Franklin Ripley ; and Henry W. Clapp—three of the most upright, energetic, and successful business men who have lived in this county—under whose immediate influence and example Mr. Allen was reared, contributed quite as much to his success and eminence in life, as all his academical, collegiate and law teachers.

tled in North Adams. He was district attorney for the N. W. District, which brought him constantly to our courts. He was a member of both branches of the Legislature, of the constitutional convention of 1853, and has just entered upon his ninth term in Congress. Few men have been able to unite, so successfully, law and polities; and few have been more successful at the bar, as well as in political and public life. It was in Franklin County that he laid the foundations of his great success, and Franklin County takes a deep interest and just pride in every honorable step he may take, up the dizzy and dangerous heights, to the goal of his ambition.

CHARLES DEVENS, Jr., was born in Charlestown in 1820; graduated at Harvard in 1838; studied law at Cambridge Law School, and with Hubbard & Watts of Boston; was admitted to the bar in 1841; settled in Northfield, in partnership with Wendell T. Davis of Greenfield; removed to Greenfield in 1844, and became the law partner of Geo. T. & W. T. Davis; was Senator from Franklin County in 1848 and 1849; was U. S. marshal from 1849 to 1853. In 1854 he resumed practice in Worcester, and alone, and in partnership with G. F. Hoar, remained till 1861. He early won success at the bar, and while in this county was intrusted with the management of the most important causes. At the Worcester bar he soon took rank among her ablest lawyers and advocates. At the breaking out of the rebellion, he was appointed by Gov. Andrew major of Third Battalion Rifles; in 1861 was appointed by Gov. Andrew colonel of Fifteenth Massachusetts Volunteers. In 1862 he was appointed brigadier general of volunteers by the President. In 1865 he was appointed brevet major general of

U. S. Volunteers by the President, "for gallantry and meritorious services at taking of Richmond," at the personal request of Gen. U. S. Grant. In 1866 he resumed the practice of the law at Worcester, and in 1867 was appointed Judge of the Superior Court, as one of the colleagues of his Honor who presides over these deliberations.

JOHN WELLS was born in Rowe, in this county; graduated at Williams College in 1838; was admitted to the bar in 1841, and settled in Chicopee, but for many years was retained in important cases at our bar. We claim him to-day as a part of us. He was a modest, conscientious, accurate and thorough lawyer and pleasing advocate, and was an honor to the profession. He was appointed upon the supreme bench in 1866, where he has already won a place among the first judicial minds of the Commonwealth.

ANSEL PHELPS, Jr., son of the late Hon. Ansel Phelps of this town, studied law with Wells, Alvord & Davis; was admitted to the bar in 1840, and settled in Ware, and was often at our bar. He entered at once upon a successful practice, and gave promise of becoming eminent in his profession. He left Ware to become the attorney of the Western railroad—a more lucrative position. He was afterwards mayor of Springfield. He was a man of great energy, executive ability and influence. But, like too many of our ambitious young men, he overtaxed his powers and died in the midst of his success and usefulness, at the early age of forty-five.

GEORGE W. HORN, of Athol, was a native of New Salem, and descended from good stock. He studied law two years at Cambridge; also with Davis & Allen, and with Maynard, Lincoln & Chatfield of New York city. He was

admitted to the bar in 1860, and to the United States court in 1870. He opened an office in New Salem, but soon removed to Athol, where he is now in good practice. He is also a very successful lecturer upon astronomy and other subjects, to the great acceptance of public schools, lyceums and other popular assemblies.

RUFUS D. CHASE, of Orange, graduated at Dartmouth College in 1845; studied law with E. D. Beach of Springfield, Mass., and with Royal Tyler and Asa Keyes of Brattleboro, Vt.; was admitted to the bar in 1849, and has practiced in Orange since. He is a very useful local counsellor and office lawyer, and is entitled to much credit in the adjusting and arrangement of most of his cases, thus saving his clients long, expensive and often useless litigation, reminding us of the lawyers in the various towns forty years ago, of whom Judge Curtis speaks in such favorable terms.

HENRY VOSE graduated at Harvard in 1839; acted for some time as private instructor in the family of a gentleman in Western New York; studied law with Wells, Alvord & Davis in Greenfield, and with Chapman, Ashmun & Norton in Springfield, where he was admitted to the bar and opened an office. He was a careful, thorough, conscientious lawyer, and highly esteemed as a public citizen. He married the daughter of Franklin Ripley of this town. In 1859 he was appointed to a seat upon the bench of the Superior Court, which office he filled with much credit to himself and the Commonwealth until his death in 1869.

JAMES C. DAVIS, son of George T. Davis, was born and educated in Greenfield and at Cambridge, and we claim him as one of our gifted young members of the bar. He has long discharged the duties of assistant attorney general with

great fidelity and ability. Though young in years, he is already taking a high rank in his profession at the Suffolk bar.

JAMES S. GRENNELL, son of George Grennell, studied law with Grennell & Aiken, and at Cambridge. He was admitted to the bar in 1846, and opened an office in this town. He had a valuable office practice, and appeared in a large number of court cases. But he disliked the law, or rather he liked agriculture much better. He was soon appointed chief clerk of the department of agriculture at Washington, and since chief clerk of the patent office, which place he now fills with much credit. He is a most welcome visitor to all our people, especially to the farmers. As a practical as well as a scientific agriculturist, he has few equals in the country, and has done more to promote the cause of agriculture in this county than any other man.

HAYNES H. CHILSON, of Northampton, was born in Buckland, in this county; studied law in my office; was admitted to the bar in 1847, and settled in Northampton. He married the daughter of Isaac C. Bates. He has been commissioner of insolvency, county commissioner, postmaster at Northampton, assistant U. S. assessor, and for nearly twenty-five years, most of the time, an active and efficient member of the school committee of that town. The duties of these offices have for many years occupied most of his time. He has now resumed the practice of his profession, and deserves, what I trust he may acquire, success. We claim him to-day as a successful and honored son of Franklin County.

CHARLES MATTOON studied law with William G. Woodward at Northfield, and was admitted to the bar in 1839. He

practiced in Muscatine, Iowa, and in Northfield until 1853, when he settled in Greenfield, where he remained till his death in 1870, at the age of fifty-four years. He was Judge of Probate from 1858 to 1870, and for many years secretary of the Franklin County Mutual Fire Insurance Company. He was an assiduous worker in his office, in politics, and in the church. But his fragile constitution at last gave way, and he left us with his life's work but just commenced.

HORATIO G. PARKER, of Boston, graduated at Dartmouth in 1844; studied law with his father in Keene, N. H.; with William Curtis Noyes of New York city, and Henry M. Parker of Boston; was admitted to the bar in New York in 1847 and in this State in 1848. He settled in Greenfield. He was Judge of Probate, and once represented this town in the Legislature. He subsequently removed to Boston, and has since been a member of the Suffolk bar. He was employed to assist the commissioners in the revision of the statutes in 1860, and his services in that delicate and laborious work were of great value to the State. He is conscientious and honorable in his practice, and stands deservedly high in his profession, with a large, lucrative and increasing business.

And what shall I more say? for the time would fail me to speak of all the Gideons, and Baraks, and Sampsons; the Jephthaes, and Davids, and Samuels of our bar, who have either already attained or given promise of a success in the profession equal to that which has been achieved by those to whom allusion has been made. In no profession are time's changes more marked and rapid than in ours. It seems but yesterday that brothers LAMB, DAVIS and DEWOLF, HOPKINS, CONANT and FIELD were mere boys—three of them

timid, bashful students under my poor teachings—all now among the leading members of this bar, each with a large and increasing practice, whilst others are following close upon their footsteps.

We are always glad to welcome to our bar and share our practice with attorneys from other counties. **GEORGE M. STEARNS**, of Chicopee, a native of this county, the acknowledged leader of the Hampden bar and the able district attorney of the S. W. District; **EDWARD DICKINSON** and **ITHAMAR F. CONKEY**, of Amherst; **CHARLES DELANO** and **SAMUEL T. SPAULDING**, of Northampton, the present distinguished leaders of the Hampshire bar; **CHARLES FIELD** and **F. F. FAY**, of Athol, often honor us with their presence and practice, and as often receive from us a most cordial greeting. Once or twice **PETER C. BACON** and **P. EMORY ALDRICH** of Worcester, **RICHARD H. DANA, Jr.**, **CHARLES R. TRAIN**, and the late **B. F. HALLETT** of Boston, and **CHARLES DAVENPORT** of Brattleboro, Vt., a native of this county, have conducted important cases at this bar; and four or five times the late **RUFUS CHOATE** was employed in cases of great importance at this bar, and on each occasion it was a rare treat for a crowded house, of both sexes, who gathered to witness the tactics, and listen to the eloquence of this great master of the principles and arts of our profession.

But I must not forget on this occasion **HENRY CHAPMAN** and **SAMUEL H. REED**—one long the faithful clerk of our courts, the other the able and efficient sheriff of the county—both smitten with infirmity: one deprived of reason, the other of sight. They are both entitled this day to kind and honorable mention, as well as the warmest gratitude and sympathy of that public in whose service they lost, one of

them much, the other all, that makes life desirable. May God—who “tempers the wind to the shorn lamb,” who gave sight to the blind, and caused the man with disordered intellect “to stand clothed, and in his right mind”—if for inscrutable reasons He cannot restore the priceless treasure each has lost, deal gently and kindly with the closing years of these our old associates, brothers and friends.

We miss from his accustomed place to-day our faithful, talented clerk of the courts, **EDWARD E. LYMAN**. Smitten with disease, he has passed days, weeks and months, vibrating in painful suspense between life and death. We are glad to know that his condition is improving, and we trust and pray that he may soon be restored to the office he so ably filled, and to the professional, social, and religious circles in which he is so often and so sadly missed.

In this connection, it is no less a pleasure than a duty to pay my tribute of respect to the names of **DAVID WILLARD** and **NOAH S. WELLS**, whose united services, as assistants in the office of clerk of the courts, cover the largest portion of both these periods. And if they have not enjoyed the full honor and emoluments of the office, they have, by fidelity to the trust reposed in them, won the more enviable distinction of the unanimous verdict of the people, “Well done, good and faithful servants.”

At this family gathering of the bar, on this pleasant occasion, so well calculated to give our thoughts a bright and cheerful hue, how sadly memory reverts to the names of two of our youngest and most promising members—**Col. GEO. D. WELLS** and **Capt. GEORGE W. BARTLETT**. Both were the law partners of **D. W. Alvord**, himself among the early mourned and missed; both won distinction in the war, and

both gave promise of a long and successful career. But the ways of Providence are inscrutable to mortal eyes, and just as little do we know who of us will next be called to follow these youthful champions of our bar, so gifted with genius, hope and promise. How forcibly are we all reminded of the impressive words of Edmund Burke :

“ What shadows we are, and what shadows we pursue.”*

And now we enter upon the third period of our judicial history, with this new and attractive Court House—this splendid edifice just completed. And although I was one of many who were in favor of a new structure throughout, yet we are most happily disappointed in the amount and desirableness of the accommodations obtained, in proportion to the money expended. And I believe I express the general opinion of the bar, and the county, and district officers, when I say that, in its general architecture, within and without,—in the size, arrangement, convenience and beauty of the various rooms and their appointments, it is entirely satisfactory.

This large, well-proportioned, commodious court and audience room, with its high and hard-finished walls, its elegant windows, its thorough ventilation, its ample and convenient arrangements for the judges, the bar, the jurors, the witnesses, the officers of the court, and the spectators,—furnished throughout with most substantial and elegant taste, and crowned with a most beautiful, modern and useful gas

*A list of the county and district officers from the organization of the county, in 1811, to the present time, with the dates of the commencement of their terms of office; also a list of all the lawyers who, during the same period, have been members of the Franklin County bar, with the dates of their admission to the bar, so far as I have been able to ascertain, will be found in an Appendix to this Address.

light reflector and ventilator,—certainly constitutes one of the most pleasant, agreeable, and convenient court rooms in the State, and is, and ever will be, the just pride and admiration of us all.

I never could understand why court houses and churches should be so constructed as to subject men, women and children, who are in the violation of no law, either of God or man, to the greatest possible amount of suffering, in body and mind, during the time they are called upon to occupy these public places. I have sat for hours in public rooms, filled with people, containing not one particle of air fit to breathe, where life was sustained for the time being, for the most part, by the use of fans and cologne; where the drowsiness of the audience has been attributed to the dullness of the speaker, or the want of appreciation, or lack of divine grace in the hearts of the hearers. Architecture, till within a short period, has been one of the most stupid and criminal arts of our time. How many cheeks have been blanched, and constitutions undermined, through its ignorance and criminality! Herod's slaughter of the innocents was scarcely more wicked than the slower torture to which thousands of children are subjected to-day in the school-rooms of our land. Our rail road depots, churches, public halls, court houses, and school-rooms have been till lately, and some of them are still, destitute of many of those appliances, conveniences and appointments, so necessary to the health and comfort of their occupants.

This new Court House, in these respects of which I am speaking, and I may say in all its interior arrangements, is a model of its kind. The spacious, pleasant, well arranged and thoroughly furnished rooms for the grand and traverse

jurors ; the tasteful, convenient, well arranged and well furnished rooms for the court, the law library, and for consultation ; and especially the large, convenient, and fire proof rooms below, for the county offices ; and the wide, pleasant, airy corridors, floored with white and colored slate, leading to all parts of the building directly, or by stairways remarkable for convenience and architectural beauty,—all heated by steam, lighted with gas, supplied with an abundance of the Leyden Glen water, thoroughly ventilated, and furnished with all the apparatus and appliances of modern taste and improvement, in connection with this audience room, to which I have already referred,—constitute a Court House which reflects much credit upon the architect, Joseph R. Richards, of Boston ; the contractors, Timothy E. Stuart, mason, Asa Lewis, carpenter, both of Boston ; and the county commissioners.

And in behalf of the court, the members of the bar, and the county and district officers, I take the liberty to express our profound thanks and obligations to the county commissioners, and through them to the people of Franklin County, for their wise liberality in erecting a Court House which is not only an honor to the county, but which will contribute so much in all future time to the convenience, comfort and health of its occupants, and at the same time facilitate the administration of justice.

And now, in conclusion, let me ask to what end shall we dedicate this new and splendid structure—this Temple of Justice? For what purpose are courts established, judges appointed, and jurors empanneled? It is, in the language of our constitution, "to secure the right of every individual to be protected in the enjoyment of his life, liberty, property,

and character." It is "that there may be an impartial interpretation of the laws, and administration of justice." It is to secure "the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit." It is that "every citizen of the commonwealth may find a certain remedy, by having recourse to the laws for all injuries or wrongs which he may receive in his person, property, or character"; that he may "obtain right and justice freely, and without being obliged to purchase it—completely, and without any denial—promptly, and without delay, conformably to the laws."

But these great and noble ends and objects can only be secured, in the language of that same instrument, by "a frequent recurrence to the fundamental principles of the constitution, and a constant adherance to those of piety, justice, moderation, temperance, industry and frugality, as absolutely necessary to preserve the advantages of liberty, and to maintain a free government." And it is only by a rigid adhesion to and practice of these fundamental principles, that we can maintain the purity, dignity and honor of our profession, preserve in even poise the scales of justice, and fulfill the reasonable expectations of those who have given us this beautiful temple of justice which we now dedicate. While fraud, bribery and corruption are coming in like a flood, in the high places of the land, threatening to sweep away the very foundations of our government; while in some States even the judiciary has yielded to the dark and corrupting influences, which are the misfortune of our times, thank God no suspicion even of corruption or malfeasance stains the ermine of a Massachusetts judge, or impedes the impartial administration of Massachusetts laws.

And let us ever bear in mind, as we occupy these earthly courts, that these tribunals of justice are not merely theatres on which to display forensic ability, and achieve wealth, distinction and fame, but are one of the important instrumentalities employed by God for the execution of his plans and laws, which pervade the whole universe. For the saying of Richard Hooker, uttered three centuries ago, is as true to-day as it was then, and as it ever will be: "Of law there can be no less acknowledged than that her seat is the bosom of God, her voice the harmony of the world; all things in heaven and earth do her homage, **the** very least as feeling her care, and the greatest as not exempted from her power."

NOTE.—I desire to express my thanks to Dr. Noah S. Wells, the clerk pro. tem. of our courts, and especially to Hon. Oliver Warner, Secretary of State, for much valuable assistance in the preparation of this address. I am also indebted to David Willard's valuable History of Greenfield for important statistics relative to some of the earlier members of our bar.



A P P E N D I X.

FRANKLIN COUNTY.

JUDGES OF PROBATE.

1811.		
Oct. 22.	Solomon Smead,	Greenfield.
1814.		
Oct. 14.	Jonathan Leavitt,	"
1821.		
July 10.	Richard E. Newcomb,	"
1849.		
June 20.	George Grennell,	" Resigned Feb. 24, 1853.
1853.		
March 9.	Horatio G. Parker,	" Resigned.
1854.		
Jan. 25.	Franklin Ripley,	"
1858.		
May 13.	Charles Mattoon,	" Died Aug. 12, 1870.
1870.		
Sept. 30.	Chester C. Conant,	"

REGISTERS OF PROBATE.

1811.		
Oct. 22.	Isaac B. Barber,	Coleraine.
1812.		
Nov. 25.	Elijah Alvord,	2d, Greenfield.
1841.		
Jan. 28.	George Grennell, Jr.,	"
1849.		
July 3.	Wendell T. Davis,	"
1851.		
April 16.	Samuel O. Lamb,	"
1853.		
June 7.	Charles Mattoon,	"
1856.		
Nov. 4.	Charles Mattoon,	" Elected.

REGISTERS OF PROBATE AND INSOLVENCY.

1858.				
Nov. 2.	Chas. J. J. Ingersoll, Greenfield.			Elected.
1863.				
Nov. 3.	Chester C. Conant,	"		"
1868.				
Nov. 3.	Chester C. Conant,	"		"
1870.				
Nov. 8.	Francis M. Thompson,	"		"

Franklin County.

DISTRICT OR COUNTY ATTORNEYS.

1811.						
Oct. 22.	Elihu Lyman, Jr., Greenfield, County Attorney.					
Nov. 22.	John Nevers, Northfield.					
1812.						
Oct. 26.	Samuel C. Allen, New Salem,	"	"	"	"	
1821.						
June 15.	George Grennell, Jr., Greenfield,	"	"	"	"	
1829.						
Oct. 19.	Richard E. Newcomb,	"	"	"	"	
1837.						
Sept. 5.	Daniel Wells, Greenfield, Attorney for Western District for five years.					
1842.						
Sept. 16.	Daniel Wells,	"	"	"	"	"
1844.						
Oct. 1.	William Porter, Jr., Lee, vice Wells appointed Chief Justice Common Pleas Court.					
1849.						
Nov. 23.	William Porter, Jr., Lee.					
1851.						
May 23.	Increase Sumner, Great Barrington.					
1853.						
Mar. 30.	William G. Bates, Westfield, vice Sumner.					
1854.						
Jan. 4.	Henry L. Dawes, Adams, vice Bates.					
1855.						
May 9.	Ithamar F. Conkey, Amherst, N. W. District.					
1856.						
Nov. 4.	Elected: Daniel W. Alvord, Greenfield, N. W. District.					
1859.						
Nov. 4.	"	"	"	"	"	
1862.						
Nov.	Samuel T. Spaulding, Northampton,					

1865.	Nov.	Samuel T. Spaulding, Northampton,	N. W. District.
1868.	Nov.	"	"
1871.	Nov.	William S. B. Hopkins, Greenfield,	"
			"

Franklin County.

SHERIFFS.

1811.	Oct. 22.	John Nevers, Northfield.	
	Nov. 22.	Elihu Lyman, Jr., Greenfield.	
1814.	June 20.	Epaphras Hoyt, Deerfield.	
1831.	May 26.	John Nevers, Northfield.	
1836.	May 19.	John Nevers, Northfield, "Sheriff for 5 yrs fr. May 23."	
1841.	Mar. 15.	" " " " "	" " " "
1846.	May 15.	" " " " "	" " "
1847.	April 21.	Samuel H. Reed, Rowe.	Five years from April 27.
1851.	May 26.	Jas. S. Whitney, Conway.	
1853.	Mar. 9.	Samuel H. Reed, Greenfield.	
1855.	Dec. 3.	Charles Pomeroy, Northfield.	
1856.	Nov. 4.	Elected : Samuel H. Reed, Greenfield.	
1859.	Nov. 2.	" " " " "	Re-elected.
1862.	Nov. 4.	" " " " "	"
1865.	Nov. 7.	" " " " "	"
1868.	Nov. 3.	Solomon C. Wells,	"
1871.	Nov. 7.	" " " "	"

Epaphras Hoyt held the office from 1814 to 1831, 17 years; John Nevers held it from 1831 to 1847, 16 years; Samuel H. Reed held it from 1847 to 1851, from 1853 to 1855, and from 1856 to 1868—in all nearly 19 years.

Franklin County.

CLERKS OF THE COURTS.

1811.	Rodolphus Dickinson of Deerfield.	
1820.	Elijah Alvord of Greenfield.	
1840.	Henry Chapman of "	
1852.	George Grennell of "	
1856.	George Grennell of "	Elected.
1861.	George Grennell of "	"
1866.	Edward E. Lyman of "	"
1871.	Edward E. Lyman of "	"

COUNTY TREASURERS.

1811.	Elijah Alvord, 2d, of Greenfield.
1812.	Epaphras Hoyt of Deerfield.
1815.	Hooker Leavitt of Greenfield.
1842.	Almon Brainard of "
1856.	Lewis Merriam of "
1862.	Daniel H. Newton of "
1865.	Bela Kellogg of "

REGISTERS OF DEEDS.

1811.	Epaphras Hoyt of Deerfield.
1815.	Hooker Leavitt of Greenfield.
1842.	Almon Brainard of "
1856.	Humphrey Stevens of "
1872.	Edward Beuton of "

MESSENGERS OF THE COURT.

Lucius Dickinson of Greenfield.	
John Pinks of	"
Thomas Rockwood of	"
Dexter Marsh of	"
Jonathan M. Mann of	"

The following is a list of lawyers who have been members of the Franklin County Bar since its incorporation in 1811, with the dates of their admission to the Bar, so far as known:

RESIDENTS OF GREENFIELD.

William Coleman.	Admitted to the Bar in	.	.	—.
Jonathan Leavitt.	" " " about	.	.	1789.
Richard E. Newcomb.	" " " in	.	.	1796.
Elijah Alvord.	" " " "	.	.	1802.
Elihu Lyman.	" " " "	.	.	1806.
George Grennell.	" " " "	.	.	1811.
Hooker Leavitt.	" " " "	.	.	1811.
Franklin Ripley.	" " " "	.	.	1812.
David Willard.	" " " "	.	.	1812.
David Brigham.	" " " "	.	.	—.
Daniel Wells.	" " " "	.	.	1813.
Horatio G. Newcomb.	" " " "	.	.	1813.
Samuel Wells.	" " " "	.	.	1816.
Henry Chapman.	" " " "	.	.	1826.
Almon Brainard.	" " " "	.	.	1829.
James C. Alvord.	" " " "	.	.	1830.
George T. Davis.	" " " "	.	.	1832.
David Aiken.	" " " "	.	.	1833.
Charles Mattoon.	" " " "	.	.	1839.
Daniel W. Alvord.	" " " "	.	.	1841.
Wendell T. Davis.	" " " "	.	.	1841.
Charles Devens, Jr.	" " " "	.	.	1841.
Whiting Griswold.	" " " "	.	.	1842.
Franklin Ripley, Jr.	" " " "	.	.	1845.
James S. Grennell.	" " " "	.	.	1846.
Horatio G. Parker.	" " " "	.	.	1847.
George D. Wells.	" " " "	.	.	1849.
Charles Allen.	" " " "	.	.	1850.
Samuel O. Lamb.	" " " "	.	.	1851.
Edward F. Raymond.	" " " "	.	.	1854.
W. S. B. Hopkins.	" " " "	.	.	1858.
George W. Bartlett.	" " " "	.	.	1859.
Chester C. Conant.	" " " "	.	.	1859.
James C. Davis.	" " " "	.	.	1861.

Edward E. Lyman.	Admitted to the Bar in	.	.	1861.
Austin Dewolf.	" " " "	.	.	1863.
Gorham D. Williams.	" " " "	.	.	1868.
William H. Gile.	" " " "	.	.	1869.
George L. Barton.	" " " "	.	.	1871.

DEERFIELD.

Pliny Arms.	Admitted to the Bar about	.	.	1805.
Rodolphus Dickinson.	" " " in	.	.	1808.
Jonathan A. Saxton.	" " " "	.	.	1817.
Aaron Arms.	" " " about	.	.	1817.
Elijah Williams.	" " " "	.	.	1825.

NORTHFIELD.

Samuel C. Allen.	Admitted to the Bar about	.	.	1800.
John Nevers.	" " " "	.	.	1808.
John Barrett.	" " " "	.	.	1808.
Benjamin R. Curtis.	" " " in	.	.	1832.
William G. Woodard.	" " " about	.	.	1833.
Solomon Vose.	" " " "	.	.	—.

CHARLEMONT.

Sylvester Maxwell.	Admitted to the Bar about	.	.	1804.
Joseph P. Allen.	" " " "	.	.	1817.
Emory Washburn.	" " " "	.	.	1821.
Edwin H. Porter.	" " " "	.	.	1842.

ASHFIELD.

Elijah Paine.	Admitted to the Bar about	.	.	1793.
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CONWAY.

William Billings.	Admitted to the Bar about	.	.	1812.
Charles Baker.	" " " "	.	.	1825.
Albert C. Clark.	" " " "	.	.	1847.
John Newton.	" " " "	.	.	1853.

SUNDERLAND.

Horace W. Taft.	Admitted to the Bar about.	.	.	1810.
Henry Barnard.	" " " "	:	:	—.

MONTAGUE.

Jonathan Hartwell.	Admitted to the Bar about.	.	.	1812.
Timothy M. Dewey.	" " " in	.	.	1855.

ORANGE.

Stephen Emory.	Admitted to the Bar about	.	.	1811.
Rufus D. Chase.	" " " in	.	.	1849.

GILL.

Benjamin Brainard.	Admitted to the Bar about	.	.	1815.
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WHATELY.

Justin W. Clark.	Admitted to the Bar about	.	.	1825.
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COLERAINE.

Isaac B. Barber.	Admitted to the Bar about	.	.	1808.
John Drury.	" " " "	.	.	1811.
William Lanfair.	" " " in	.	.	1845.

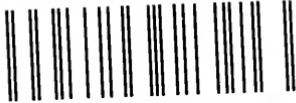
SHELBOURNE.

Arthur Maxwell.	Admitted to the Bar in	.	.	1840.
Samuel T. Field.	" " " "	.	.	1852.
Henry M. Puffer.	" " " "	.	.	1867.

SHUTESBURY.

William Ward.	Admitted to the Bar about	.	.	—.
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